



#4

PATENT
ATTORNEY DOCKET NO: 50082/015002

COMBINED DECLARATION AND POWER OF ATTORNEY

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As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **NUCLEIC ACID MOLECULES AND POLYPEPTIDES FOR IMMUNE MODULATION**, the specification of which

- ☐ is attached hereto.
☒ was filed on October 11, 2001 as Application Serial No. 09/976,605
and was amended on _____
☐ was described and claimed in PCT International Application No. _____
filed on _____ and as amended under PCT Article 19 on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY RIGHTS: I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

| Country | Serial Number | Filing Date | Priority Claimed? |
|---------|---------------|-------------|-------------------|
| | | | Yes/No |

PROVISIONAL PRIORITY RIGHTS: I hereby claim priority benefits under Title 35, United States Code, § 119(e) and § 120 of any United States provisional patent application(s) listed below filed by an inventor or inventors on the same subject matter as the present application and having a filing date before that of the application(s) of which priority is claimed:

| Serial Number | Filing Date | Status |
|---------------|------------------|---------|
| 60/239,354 | October 11, 2000 | Pending |

NON-PROVISIONAL PRIORITY RIGHTS: I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations,

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§ 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| Serial Number | Filing Date | Status |
|---------------|-------------|--------|
| | | |
| | | |

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Paul T. Clark, Reg. No. 30,162, Karen L. Elbing, Ph.D. Reg. No. 35,238, Kristina Bieker-Brady, Ph.D. Reg. No. 39,109, Susan M. Michaud, Ph.D. Reg. No. 42,885, James D. DeCamp, Ph.D., Reg. No. 43,580, Sean J. Edman, Reg. No. 42,506, Timothy J. Douros, Reg. No. 41,716.

Address all telephone calls to: Kristina Bieker-Brady, Ph.D., at 617/428-0200.

Address all correspondence to: Kristina Bieker-Brady, Ph.D., at Clark & Elbing LLP, 176 Federal Street, Boston, MA 02110. **Customer No: 21559**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

| Full Name (First, Middle, Last) | Residence Address (City, State, Country) | Post Office Address (Street, City, State, Country) | Citizenship |
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| Grant McFadden | 1435 Corley Drive, S. London, Ontario N6G 2K5 CANADA | 1435 Corley Drive, S. London, Ontario N6G 2K5 CANADA | Canada |
| Signature: | | | Date: |

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| Karim Essani | 9528 Autumnwood Circle Kalamazoo, MI 49009 | 9528 Autumnwood Circle Kalamazoo, MI 49009 | U.S.A. |
| Signature: <i>Karim Essani</i> | | | Date: Jan. 9 '02 |



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| Karim Essani | 9528 Autumnwood Circle Kalamazoo, MI 49009 | 9528 Autumnwood Circle Kalamazoo, MI 49009 | U.S.A. |
| Signature: | | | Date: |